



# PDC NEWS

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## **Commission Reviews New School District Guidelines**

At a public hearing today in Olympia PDC Commissioners reviewed new proposed guidelines for school districts in election campaigns. The new document was developed as a set of common sense guidelines that can be used by school district personnel to assist them in avoiding inadvertent violations of the laws governing the prohibition on the use of public facilities in campaigns.

The general concepts of the guidelines are not new, but those concepts have been arranged in a format that is conducive to enhanced understanding of what is permitted and not permitted under state law.

The document, Guidelines for School Districts in Election Campaigns, relies on the statutory standard of “normal and regular conduct” when addressing election related publications and as much as possible the guidelines incorporate specific language found in the statutes and in Commission rule.

Commissioners indicated they would consider adoption of the proposed guidelines at their August 28, 2001 meeting.

## **Possible Rules for January 2002 Discussed**

PDC Commissioners reviewed three topics that may go through the rule-making process later this year:

- Changing the dollar amounts found in Initiative 134 to reflect changes in economic conditions. The Commission is looking at having any changes to the dollar amounts in place by January of 2002.
- Possible consideration of increasing the threshold requirement for providing the occupation and name and address of the employer of contributors. It is currently set at \$100 or more.
- Possible rules governing mandatory electronic filing of campaign finance reports. Candidates and political committees that spend \$25,000 or more in 2001, or expect to spend \$25,000 or more during 2002 must file campaign finance reports electronically beginning in January of 2002.

## **Interpretation of HB 1770 Approved**

The Commission adopted PDC Interpretation 01-02 to provide guidance to candidates for state office who lose in the primary election on September 18, 2001 and have outstanding debts.

House Bill 1770, effective on July 22, 2001, authorize a 30-day grace period for making primary-related contributions to candidates who lose in the primary and who have outstanding debts from their campaign. The interpretation defines debts outstanding, when the 30-day period begins and how to dispose of any surplus funds. It is available on PDC's website under “Guide to the Law” and “Commission Interpretations”.

## **Agency Request Legislation Proposed:**

Commission members reviewed potential agency request legislation topics that may be proposed during the 2002 legislative session. Two measures were discussed.

1. A proposal increasing the Commissions enforcement authority would include:

- increasing the penalty authority of the Commission from \$1,000 to \$4,000 for a single violation and from \$2,500 to \$10,000 for multiple violations;
- allow the courts and PDC to order the return of contributions that exceed limits;
- allow the courts and PDC to order public agency officials/employees to pay penalties for violating RCW 42.17.130 from non-public funds
- give the PDC, Attorney General and prosecutors 45 days to complete an investigation instead of the current language that requires filing of a court case within 45 days of receiving a citizen's action.

2. A "housekeeping proposal" would include:

- amending RCW 42.17.080(3) changing each "Friday" to each "Monday" for filing weekly C-3 reports beginning on July 1<sup>st</sup> of the election year.
- amending the definition of "Primary" and "General Election" to only apply for purposes of the contribution limits in RCW 42.17.640.

### **Enforcement Action**

The Commission accepted a stipulated agreement in lieu of an enforcement hearing against the Amalgamated Transit Union Local 587. The Union acknowledged that the Commission would likely find multiple violations of RCW 42.17 and agreed to pay a civil penalty of \$2,500 with another \$7,500 suspended pending no further violations during the next four years.

PDC staff had charged that the union violated RCW 42.17.040-RCW 42.17.090 by soliciting and accepting contributions from its members without registering and reporting as a political committee. ATU Local 587 accepted approximately \$160,000 from its members through a special payroll deduction conducted by King County between September 28 and November 23, 2000.

The ATU committee used the special assessment funds to make contributions totaling \$147,000 to other committees opposing Initiative 745.

The union also agreed to continue its process of offering a rebate to members who paid the special assessment, conduct internal training and work with King County to develop a protocol that will insure no future violations occur.

### **Reporting Modifications**

The Commission granted reporting modifications for filing the Personal Financial Affairs Statement to the following individuals:

- Carrie L. George, candidate for Board Member, Mercer Island School District
- Tom J. Chambers, Supreme Court Justice
- Dan S. Grausz, City Council Member, City of Mercer Island
- Kevin M. Raymond, Board of Trustees, Western Washington University

The Commission meeting materials can be found on our website at [www.pdc.wa.gov](http://www.pdc.wa.gov) under **Commission Meetings at Meeting Agendas and Materials**. For additional information concerning these issues contact Doug Ellis, Director of Public Outreach, at (360) 664-2735, toll free 1-877-601-2828 or e-mail at [dellis@pdc.wa.gov](mailto:dellis@pdc.wa.gov).

